

FORM PTO-1390 (REV. 7-2005) <b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE	ATTORNEY'S DOCKET NUMBER <b>P/3610-65</b>
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/566,051</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/009145</b>	INTERNATIONAL FILING DATE <b>19 July 2004</b>	PRIORITY DATE CLAIMED <b>25 July 2003</b>	
TITLE OF INVENTION <b>N-[2-(2-PYRIDINYL)ETHYL]BENZAMIDE COMPOUNDS AND THEIR USE AS FUNGICIDES</b>			
APPLICANT(S) FOR DO/EO/US <b>Darren James MANSFIELD et al.</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. [ ] This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. [XX] This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. [ ] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. [ ] The US has been elected (Article 31).</li> <li>5. [ ] A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. [ ] is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. [ ] has been communicated by the International Bureau.</li> <li>c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. [ ] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. [ ] is attached hereto.</li> <li>b. [ ] has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. [ ] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. [ ] are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. [ ] have been communicated by the International Bureau.</li> <li>c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. [ ] have not been made and will not be made.</li> </ol> </li> <li>8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. [XX] An <u>executed</u> oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. [ ] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11 to 20 below concern other document(s) or information included:			
<ol style="list-style-type: none"> <li>11. [ ] An Information Disclosure Statement under 37 CFR 1.97 and 1.98, with the required PTO Form 1449.</li> <li>12. [XX] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. [ ] A Preliminary Amendment.</li> <li>14. [ ] An Application Data Sheet under 37 CFR 1.76 (Print EFS Form).</li> <li>15. [ ] A substitute specification.</li> <li>16. [ ] A power of attorney and/or change of address letter.</li> <li>17. [ ] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. [ ] A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. [ ] A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> </ol>			
<b>EXPRESS MAIL CERTIFICATE</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #EV606188005US) in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 18, 2006: <u>Dorothy Jenkins</u> Signature			
Name of Person Mailing Correspondence (762776.1)		April 18, 2006 Date of Signature	

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<p>The following fees have been submitted</p> <table border="1"> <tr> <td>21. [ ] Basic national fee (37 CFR 1.492(a)).....</td> <td>\$300</td> <td>CALCULATION</td> <td>PTO USE ONLY</td> </tr> <tr> <td></td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>22. [ ] Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....</td> <td>\$0</td> <td>\$</td> <td></td> </tr> <tr> <td>All other situations.....</td> <td>\$200</td> <td></td> <td></td> </tr> <tr> <td>23. 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The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td>\$</td> </tr> <tr> <td>Total Sheets</td> <td>Extra sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250</td> </tr> <tr> <td colspan="3">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td>\$0</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total Claims</td> <td>21 - 21 =</td> <td>0</td> <td>x \$ 50</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$200</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360</td> </tr> <tr> <td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$</td> </tr> <tr> <td colspan="3">[ ] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.</td> <td></td> </tr> <tr> <td colspan="3"><b>SUBTOTAL =</b></td> <td>\$</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>\$130.00</td> </tr> <tr> <td colspan="3"><b>TOTAL NATIONAL FEE =</b></td> <td>\$130.00</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>\$ 40.00</td> </tr> <tr> <td colspan="3"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$170.00</td> </tr> <tr> <td colspan="3">04/21/2006 GFREY1 00000120 10566051</td> <td>Amount to be refunded: \$</td> </tr> <tr> <td colspan="3">01 FC:1617 130.00 OP</td> <td>Amount to be charged: \$</td> </tr> </table>			21. 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a. [XX] A check (Check No. 24270) in the amount of **\$170.00** to cover the above fees is enclosed.  
b. [ ] Please charge my Deposit Account No. 15-0700 in the amount of \$\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.  
c. [XX] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0700. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

William O. Gray, III  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8402

Telephone: (212) 382-0700



SIGNATURE

WILLIAM O. GRAY, III April 18, 2006

NAME

DATE

30,944

REGISTRATION NUMBER